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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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JUAN LUIS GOMEZ,

Plaintiff,

v.

DAVID GARCIA, et al.,

Defendants.

Case No. [17-cv-03568-JCS](#) (PR)

**ORDER OF DISMISSAL**

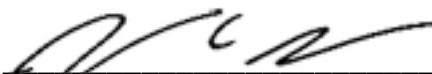
Plaintiff has failed to comply with the Court's order to file an amended complaint by the deadline. Accordingly, this federal civil rights action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see Fed. R. Civ. P. 41(b)*.

Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must contain an amended complaint that complies in all respects with the Court's order dismissing the complaint with leave to amend.

The Clerk shall enter judgment in favor of defendants, and close the file.

**IT IS SO ORDERED.**

**Dated:** October 16, 2017

  
JOSEPH C. SPERO  
Chief Magistrate Judge

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JUAN LUIS GOMEZ,  
Plaintiff,  
v.  
DAVID GARCIA, et al  
Defendant

Case No. 17-cv-03568-JCS

## **CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 16, 2017, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Juan Luis Gomez ID: F-38645  
Salinas Valley State Prison  
P.O. Box 1020  
Soledad, CA 93960

Dated: October 16, 2017

Susan Y. Soong  
Clerk, United States District Court

By: Karen L. Hom  
Karen Hom, Deputy Clerk to the  
Honorable JOSEPH C. SPERO